

Public Law 102-276  
102d Congress

An Act

To direct the Secretary of Health and Human Services to grant a waiver of the requirement limiting the maximum number of individuals enrolled with a health maintenance organization who may be beneficiaries under the medicare or medicaid programs in order to enable the Dayton Area Health Plan, Inc., to continue to provide services through January 1994 to individuals residing in Montgomery County, Ohio, who are enrolled under a State plan for medical assistance under title XIX of the Social Security Act.

Apr. 28, 1992  
[H.R. 4572]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. APPLICABILITY OF ENROLLMENT MIX REQUIREMENT TO CERTAIN HEALTH MAINTENANCE ORGANIZATIONS PROVIDING SERVICES UNDER DAYTON AREA HEALTH PLAN.**

(a) **HEALTH PLAN NETWORK.**—With respect to the unincorporated association affiliated with the Dayton Area Health Plan, Inc., that is known as the Health Plan Network, the Secretary of Health and Human Services (hereafter referred to as the "Secretary") shall waive the requirement described in section 1903(m)(2)(A)(ii) of the Social Security Act for the period described in section 2.

(b) **DAYMED, INC.—**

(1) **IN GENERAL.**—Subject to paragraph (2), for purposes of determining the compliance of the DAYMED Health Maintenance Plan, Inc., with the requirement described in section 1903(m)(2)(A)(ii) of the Social Security Act for the period described in section 2, the Secretary may not treat individuals enrolled with the Plan who are described in section 1902(l)(1)(D) of such Act as individuals enrolled with the Plan on a prepaid basis.

(2) **LIMITATION ON NUMBER OF INDIVIDUALS EXEMPTED.**—The number of individuals enrolled with the DAYMED Health Maintenance Plan, Inc., whom the Secretary may not treat as individuals enrolled with the Plan on a prepaid basis pursuant to paragraph (1) may not exceed 4,000.

**SEC. 2. PERIOD OF APPLICABILITY.**

The period referred to in subsections (a) and (b)(1) of section 1 is the period that begins on May 1, 1992, and ends on January 31, 1994.

Approved April 28, 1992.

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**LEGISLATIVE HISTORY—H.R. 4572:**

HOUSE REPORTS: No. 102-494 (Comm. on Energy and Commerce).  
CONGRESSIONAL RECORD, Vol. 138 (1992):

Apr. 9, considered and passed House.

Apr. 10, considered and passed Senate.

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